

Attorney's Docket No.: 10360-052001
Client's Ref. No.: BA0366

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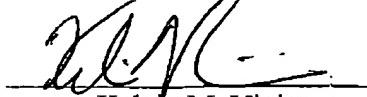
Applicant : Tal Isaac Lavian and Robert James Duncan	Art Unit : 2143	
Serial No. : 09/522,332	Examiner : Alina Boutah	
Filed : March 9, 2000	FACSIMILE COMMUNICATION	
Title : METHOD AND APPARATUS FOR ACCESSING NETWORK INFORMATION ON A NETWORK DEVICE		

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a Reply to the Final Office Action of May 19, 2004, faxed this 8th day of July, 2004, to Mail Stop AF, faxed to the United States Patent and Trademark Office.

Respectfully submitted,



Kelvin M. Vivian
Reg. No. 53,727

Date: July 7, 2004

PTO Customer No. 26161
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Fax: (650) 839-5071

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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REPLY TO ACTION OF MAY 19, 2004

In reply to the Final Office Action of May 19, 2004, the applicant respectfully requests reconsideration in view of the following remarks.

Claims 1-7, 9-11 and 13-34 are pending.

Claims 1-3, 8-15, 20-26 and 31-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,655,081 ("Bonnell").

Claims 4-7, 16-19 and 27-30 were rejected under 35 USC § 103(a) as being unpatentable over Bonnell in view of Infrastructure for Advanced Network Management based on Mobile Code ("Susilo").

The applicant respectfully traverses the rejections.

Claim 1 recites a network device configured to download a network management application (at the request of a network management server) and execute the network management application which causes the network device to perform network management instructions. The network management instructions include sending one or more second network

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commands to one or more network devices, receiving one or more second status packets in response to the one or more second network commands, performing an analysis of use of network resources on the one or more network devices using the one or more second status packets, and sending the results of the analysis to the network management server.

Such a system has a potential advantage of reducing the amount of status information sent between network devices and a network management server because processing is done locally on each network device. For example, each network device can send back results of a specific task to a network management server rather than transmitting numerous status packets (Specification, page 2, lines 14-23).

As described in the specification at page 5, lines 1-4, “[t]raditionally, an NMS (network management system) will send network commands to the network devices and, in return, receive input from the network devices, including network parameters. This traditional approach to network management requires [an] NMS to perform a majority of the processing for network management.”

Bonnell describes such a traditional system, disclosing the use of network management systems (consoles) for managing resources present on computer systems in a network. (See Col. 6, ll. 61-67.) An agent software system is installed on and runs on each of the server computer systems in the network. Each respective agent software system monitors particular parameters associated with the resources and applications present on the computer system in which it is installed, and provides these parameter to consoles based on the consoles' respective registrations. (Col. 7, ll. 1-31.)

Bonnell fails to disclose several aspects of claim 1.

First, Bonnell fails to disclose a network device configured to download a network management application (at the request of a network management server) and execute the network management application. Instead, Bonnell discloses only that manager software systems – for managing resources present on server computer systems in a network – are installed and executed only on network management systems (or consoles) (col. 2, ll. 61-67).

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Bonnell fails to teach or suggest installing manager software systems on the server computer systems (i.e., non-network management systems) in the network.

Second, Bonnell fails to disclose a network device performing an analysis of use of network resources on the one or more network devices using one or more second status packets, and sending the results of the analysis to a network management server. Although, Bonnell discloses that an agent can act as an intermediary in which the agent acts a collector that receives event information from lower-level agents (col. 7, ll. 51-54), Bonnell fails to disclose that the collector performs an analysis of the event information. Instead, the collector only collects the event information, and passes the event information for ultimate use by a console (or network management system) (col. 7, l. 54). It is Bonnell's consoles that use the event information to perform an analysis of resources throughout the network (col. 7, ll. 10-14).

The Examiner cites col. 6, l. 61 – col. 7, l. 14 of Bonnell as disclosing a network device performing an analysis of use of network resources on one or more network devices using one or more second status packets received from the one or more network devices. The applicant respectfully traverses.

Although the portion cited by the Examiner discloses that an agent software system monitors resources, the agent software system, however, only monitors resources that are present on the computer system on which the agent software system is installed (col. 7, ll. 1-6). Bonnell's agent software system does not perform an analysis of network resources based on one or more second status packets received from one or more network devices in the network.

The Examiner further cites col. 7, ll. 32-44 of Bonnell as disclosing a network device sending results of an analysis (of use of network resources on one or more network devices) to a network management server for use in management of the network. The applicant respectfully traverses.

The portion cited by the Examiner discloses an event management scheme within Bonnell's system. The event management scheme allows agents to send update messages to all consoles within the network indicating that a particular console has handled an event. A

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message indicating that a console has handled an event is not equivalent to an analysis of use of network resources on one or more network devices.

Moreover, as acknowledged by the Examiner, Bonnell does not disclose a network device sending second network commands and receiving second status packets from one or more network devices. The Examiner, however, contends that Bonnell discloses a network device being able to transmit second requests to at least one agent system, and therefore it would have been obvious to one of ordinary skill in the art that the process of a network device sending and receiving second network commands and status packets is similar to a network management system sending and receiving first network commands and status. The applicant respectfully traverses.

The applicant respectfully submits that even if Bonnell discloses a network device being able to transmit second requests to at least one agent system, such an action does not suggest the network device performing an analysis of use of network resources using the one or more second status packets, and then sending results of the analysis to a network management server.

Because Bonnell fails to disclose certain elements of claim 1, Bonnell cannot disclose any obvious variations of the missing elements.

Therefore, the applicant respectfully submits that independent claims 1, 11, 22, 31 and 32 (and the claims that depend therefrom) are not anticipated nor rendered obvious by the cited art and should be in condition for allowance.

Please apply any other charges or credits to deposit account 06-1050.

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Respectfully submitted,



Kelvin M. Vivian
Reg. No. 53,727

Date: 07-07-04
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

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